GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

STARRED QUESTION NO:67
ANSWERED ON:23.11.2000
COMPANY LAW BOARD
ANANT GANGARAM GEETE;DR. KIRIT SOMAIYA

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the type of complaints received and entertained by the Company Law Board :

(b) whether all the branches of Company Law Board are computerised;

(c) if so, the number of complaints received, solved and pending with different branches of C.L.B. during the last three years ;

(d) whether the Department of Company Affairs is satisfied with the present capacity of C.L.B. to solve the grievances of small investors ;

(e) if so, the follow up system of C.L.B., in case the order of C.L.B. is not implemented by the defaulting companies;

(f) whether the Government are aware of the difficulties faced by small investors from a small town or village to approach C.L.B. ; and

g) if so, the measures taken to improve the present system?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) to (g) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF THE LOK SABHA STARRED QUESTION NO. 67- DUE ANSWER ON 23.11.2000

(a) The Company Law Board is receiving the applications/complaints from the depositors of the Companies u/s 58A(9) of the Companies Act, 1956 and 45QA of the RBI Act, 1934 for non-payment of their deposits.

(b) Yes, Sir.

(c) The details of complaints/applications received, disposed of and pending during the last three years u/s 58A (9) of the Companies Act, 1956 and 45QA of the RBI Act, 1934 are given below :

Period	Opening Balance	Receipts	Total	Disposed of	Pending
1997-98	1504	26718	28222	15437	12785
1998-99	12785	52368	65153	47319	17834
1999-2000	17834	58727	76561	63013	13548

(d) to (g) On the basis of applications received from the depositors, whenever the orders are passed by the Company Law Board under Section 45QA of the RBI Act, 1934 or under Section 58A (9) of the Companies Act, 1956, copies of the orders are forwarded to RBI and Registrar of Companies respectively.In case of non-compliance of order by the company, the prosecution is to be filed by an Officer of RBI under Section 58E of the RBI Act or by the Registrar of Companies under Section 621 of the Companies Act, 1956 respectively. To strengthen the machinery relating to the deposits of the small investors various steps are proposed in the Companies (Second Amendment) Bill, 1999 some of which relate to strengthening the Company Law Board also.